



before this Court, Mr. Swanston was not entitled to the unique treatment of receiving duplicate document productions from defendants.

For these reasons, Plaintiff Robert J. Swanston's Motion to Compel Production of Documents by Defendants and For Sanctions should be denied.

Respectfully Submitted,  
ON BEHALF OF DEFENDANTS IN THE  
ABOVE-CAPTIONED MATTER

By: Lucy Fowler  
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Dated: January 13, 2004

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JAN 13 2004  
U.S. DISTRICT COURT  
DISTRICT OF MASS.  
JAN 13 2004

**CERTIFICATE OF SERVICE**

I certify that on January 13, 2004, a true and correct copy of the foregoing Opposition to Plaintiff Robert J. Swanston's Motion to Compel and For Sanctions was served on all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to Verilaw Technologies for posting and notification to all parties.

Lucy Fowler

Lucy Fowler

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF MASS.  
2004 JAN 13 P 5:18  
CLERK'S OFFICE



**FOLEY  
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January 13, 2004

**By Hand**

Clerk's Office, Civil  
U.S. District Court for the District of Massachusetts  
One Courthouse Way  
Boston, MA 02210

Re: *In re Pharmaceutical Industry Average Wholesale Price Litigation,*  
No. 01-CV-12257-PBS

Dear Sir or Madam:

Enclosed for filing in the above-entitled matter please find:

1. Defendants' Response and Opposition to Robert J. Swanston's Motion to Compel.

Please date-stamp the enclosed copy of this document and return it to our courier.

Thank you for your assistance with this matter.

Very truly yours,

A handwritten signature in cursive script that reads "Lucy Fowler".

Lucy Fowler

LF  
Enclosures  
cc: All Parties (by electronic service)

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